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Dated: September 28, 2006 Signature:

(Maria Laccotripe Zacharakis, Ph.D., J.D.)

Docket No.: BGI-125CPCN (PATENT)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of:

Application No.: 10/627476

Confirmation No.: 2236

Filed: July 25, 2003

Art Unit: 1631

For:

CORYNEBACTERIUM GLUTAMICUM

Examiner: J. S. Brusca

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IN MEMBRANE SYNTHESIS AND

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MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT (IDS)

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

For the Examiner's convenience in reviewing this continuation application, Applicants submit a consolidated PTO Form SB/08, listing all references cited during the prosecution of the parent application. References B29-B31 and C353-C355 were previously cited and submitted to the Office in U.S. Application Serial No. 09/602,787, filed June 23, 2000 (Atty. Docket No.

Application No.: 10/627476 Docket No.: BGI-125CPCN

BGI-125CP), of which this application is a continuation and to which this application claims priority. In accordance with 37 CFR §1.98(d), these references are not enclosed herewith, but will be provided upon request. In addition, this Information Disclosure Statement presents references B1-B28 and C1-C352, and C356-357, not previously submitted to the Office, which are enclosed herewith in accordance with 37 CFR §1.97.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 12-0080 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. BGI-125CPCN.

Dated: September 28, 2006

MLZ/MG/JGSmch

Respectfully submitted,

By Maria Laccotripe Zacharakis, Ph.D., J.D.

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10/627476-Conf. #2236

PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

July 25, 2003 First Named Inventor Markus POMPEJUS Art Unit 1631 Examiner Name J. S. Brusca

Attorney Docket Number Total Number of Pages in This Submission **BGI-125CPCN**

	ENCLOSURES (Check all that apply)					
x Fee Transr	mittal Form	Drawing(s)	After Allowance Communication to TC			
Fee Attached		Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences			
Amendmer	nt/Reply	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)			
After	Final	Petition to Convert to a Provisional Application	Proprietary Information			
Affida	avits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address	Status Letter			
Extension of	of Time Request	Terminal Disclaimer	Other Enclosure(s) (please Identify below):			
Express At	pandonment Request	Request for Refund	PTO form SB/08; Certificate of Mailing; Copies of Three Hundred			
x Information	Disclosure Statement	CD, Number of CD(s)	and Eighty Two (382) References; Return Receipt Postcard			
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	issing Parts/ Application	Remarks				
	y to Missing Parts under FR 1.52 or 1.53					
	SIGNATI	JRE OF APPLICANT, ATTORNEY,	OR AGENT			
Firm Name	LAHIVE & COCKFIELD, JLP					
Signature	Mourne					
Printed name	Maria Laccotripe Za	charakis, Ph.D., J.D.				
Date	September 28, 2006	Reg. N	o. 56,266			

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PTO/SB/17 (12-04v2) Approved for use through 7/31/2006. OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE r the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known Effective on 12/08/2004. 10/627476-Conf. #2236 Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). **Application Number** TRANSMIT July 25, 2003 Filing Date Markus POMPEJUS First Named Inventor For FY 2005 **Examiner Name** J. S. Brusca Applicant claims small entity status. See 37 CFR 1.27 1631 Art Unit **BGI-125CPCN** TOTAL AMOUNT OF PAYMENT (\$) 180.00 Attorney Docket No. METHOD OF PAYMENT (check all that apply) Check Credit Card Money Order None Other (please identify): Deposit Account Deposit Account Number: 12-0080 Deposit Account Name: Lahive & Cockfield, LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) x Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayment of Credit any overpayments fee(s) under 37 CFR 1.16 and 1.17 **FEE CALCULATION** 1. BASIC FILING, SEARCH, AND EXAMINATION FEES **EXAMINATION FEES FILING FEES** SEARCH FEES Small Entity **Small Entity** Small Entity Fee (\$) **Application Type** Fee (\$) Fee (\$) Fee (\$) Fees Paid (\$) Fee (\$) Fee (\$) Utility 300 150 500 250 200 100 200 100 100 Design 50 130 65 Plant 200 100 300 150 160 80 Reissue 300 150 500 250 600 300 200 100 0 Provisional 0 0 0 2. EXCESS CLAIM FEES **Small Entity** Fee (\$) Fee (\$) Fee Description Each claim over 20 (including Reissues) 50 25 Each independent claim over 3 (including Reissues) 200 100 Multiple dependent claims 360 180 **Total Claims Extra Claims** Fee (\$) Fee Paid (\$) **Multiple Dependent Claims** Fee (\$) Fee Paid (\$) Indep. Claims **Extra Claims** Fee Paid (\$) 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). **Total Sheets Extra Sheets** Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) - 100 = /50 (round up to a whole number) x 4. OTHER FEE(S) Fees Paid (\$) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00 SUBMITTED BY

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Name (Print/Type)

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September 28, 2006

PTO/SB/08a/b (07-05)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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1 Sheet 19

Substitute for form 1449A/B/PTO

Complete if Known				
Application Number	10/627476-Conf. #2236			
Filing Date	July 25, 2003			
First Named Inventor	Markus POMPEJUS			
Art Unit	1631			
Examiner Name	John S. Brusca			
Attorney Docket Number	BGI-125CPCN			

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		

		FOREI	GN PATENT	DOCUMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	B1	EP-0204326-A2	12-10-1986	Kyowa Hakko Kogyo Co., Ltd.		
	B2	JP-62232392		Kyowa Hakko Kogyo Co., Ltd.		Abstr.
	B3	JP-62244382		Ajinomoto Co., Inc.		Abstr.
	B4	EP-0358940-A1		Degussa Aktiengesellschaft		
	B5_	JP-04278088		Mitsubishi Petrochem Co., Ltd.		Abstr.
	B6	JP-04330284	11-18-1992	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B7	JP-05030977	02-09-1993	Mitsubishi Petrochem Co., Ltd.		Abstr.
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		JP-05284970	11-02-1993	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B13	JP-05284972	11-02-1993	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B14	JP-05344881	12-27-1993	Ajinomoto Co., Inc.		Abstr.
	B15	JP-05344893	12-27-1993	Mitsubishi Petrochem Co., Ltd.		Abstr.
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	B29*	EP-0252558-A2		SCLAVO S.p.A.		
		EP-0752472-B1		Ajinomoto Co. Inc.		\vdash
		EP-0786519-A2		Human Genome Sciences, Inc.		1

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Examiner	Date
Signature	Considered

Sut	ostitute for form 1449A/B/PT	·o		Complete if Known		
			•	Application Number	10/627476-Conf. #2236	
11	NFORMATION	N DIS	SCLOSURE	Filing Date	July 25, 2003	
l s	STATEMENT BY APPLICANT			First Named Inventor	Markus POMPEJUS	
				Art Unit	1631	
	(Use as many sheets as necessary)			Examiner Name	John S. Brusca	
Sheet	2	of	19	Attorney Docket Number	BGI-125CPCN	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	Ankri, Serge, et al., "Mutations in the <i>Corynebacterium glutamicum</i> Proline Biosynthetic Pathway: a Natural Bypass of the <i>proA</i> Step," <i>Journal of Bacteriology</i> , Vol. 178(15):4412-4419 (1996)	
	C2	Billman-Jacobe, H., "Nucleotide sequence of a recA gene from Comybacterium glutamicum," The Journal of Sequencing and Mapping," Vol. 4:403-404 (1994)	
	СЗ	Bonamy, Celine, et al., "Identification of IS1206, a Corynebacterium glutamicum IS3-related insertion sequence and phylogenetic analysis," <i>Molecular Microbiology</i> , Vol. 14(3):571-581 (1994)	
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	C11	Eikmanns, Bernhard J., "Identification, Sequence Analysis, and Expression of a Corynebacterium glutamicum Gene Cluster Encoding the Three Glycolytic Enzymes Glyceraldehyde-3-Phosphate Dehydrogenase, 3-Phosphoglycerate Kinase, and Triosephosphate Isomerase," Journal of Bacteriology, Vol. 174(19):6076-6086 (1992)	
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				Application Number	10/627476-Conf. #2236	
11	NFORMATION	l Di	SCLOSURE	Filing Date	July 25, 2003	
S	STATEMENT BY APPLICANT			First Named Inventor	Markus POMPEJUS	
				Art Unit	1631	
	(Use as many sheets as necessary)			Examiner Name	John S. Brusca	
Sheet	3	of	19	Attorney Docket Number	BGI-125CPCN	

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C21	Honrubia, M.P., et al., "Identification, characterization, and chromosomal organization of the ftsZ gene from Brevibacterium lactofermentum," Mol. Gen. Genet., Vol. 259:97-104 (1998)	
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				Art Unit	1631	
	(Use as many she	eets as	necessary)	Examiner Name	John S. Brusca	
Sheet	4	of	19	Attorney Docket Number	BGI-125CPCN	

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C35	Synthase in Corynebacterium glutamicum," Journal of Microbiology and Biotechnology, Vol. 4(4):256-263 (1994)	
C36	ΦAAU2 Infecting 'Arthrobacter aureus' C70," Journal of Bacteriology, Vol. 178(7):1996-2004 (1996)	
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C38	Porin of Corynebacterium glutamicum: The Channel Is Formed by a Low Molecular Mass Polypeptide," Biochemistry, Vol. 37:15024-15032 (1998)	
C39	Ludwig, W., et al., "Phylogenetic relationships of <i>Bacteria</i> based on comparative sequence analysis of elongation factor Tu and ATP-synthase β-subunit genes," <i>Antonie van Leeuwenhoek</i> , Vol. 64:285-305 (1993)	
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C45	Möckel, Bettina, et al., "Functional and Structural Analyses of Threonine Dehydratase from Corynebacterium glutamicum," Journal of Bacteriology, Vol. 174(24):8065-8072 (1992)	
C46	Molenaar, Douwe, et al., "Biochemical and genetic characterization of the membrane-associated malate dehydrogenase (acceptor) from <i>Corynebacterium glutamicum</i> ," <i>Eur. J. Biochem.</i> , Vol. 254:395-403 (1998)	
C47	Moreau, Sylvia, et al., "Site-specific integration of corynephage <i>Φ</i> 16: construction of an integration vector," <i>Microbiology</i> , Vol. 145:539-548 (1999)	
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C49	O'Gara, James P., et al., "Mutations in the <i>trpD</i> Gene of <i>Corynebacterium glutamicum</i> Confer 5-Methyltryptophan Resistance by Encoding a Feedback-Resistant Anthranilate Phosphoribosyltransferase," <i>Applied and Environmental Microbiology</i> , Vol. 61(12):4477-4479 (1995)	
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C52		

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	(Use as many sheets as necessary)			Examiner Name	John S. Brusca	
Sheet	[.] 5	of	19	Attorney Docket Number	BGI-125CPCN	

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				Application Number	10/627476-Conf. #2236	
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S	TATEMENT E	3Y /	APPLICANT	First Named Inventor	Markus POMPEJUS	
				Art Unit	1631	
	(Use as many she	eets as	necessary)	Examiner Name	John S. Brusca	
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				Art Unit	1631	
	(Use as many she	eets as	s necessary)	Examiner Name	John S. Brusca	
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			ecessary)	Examiner Name	John S. Brusca	
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